(1) Supreme Court, U.S. FILED

05-857 OCT 17 2006

No. OFFICE OF THE CLERK

IN THE

Supreme Court of the United States

Richard W. Madden, Sr.
Lori M. Madden
Tiera R. Madden
Amanda K. Madden

V.

Petitioners

Jessica L. Stewart
Gerri Ann Davis
Honea Path Police Department
Jimmy King, Attorney

Respondents

On Petition For Writ Of Certiorari
To The United States Appeals Court 4th Circuit
PETITION FOR WRIT OF CERTIORARI

Richard W. Madden, Sr.
Lori M. Madden
Tiera R. Madden
Amanda K. Madden
1720 Martin Rd
Honea Path, S. C. 29654
(864)-369-2206

QUESTIONS PRESENTED FOR REVIEW

This matter comes before the court by Pro Se petitioners, the petitioners filed an action in the United States Federal Court in the District of South Carolina Anderson Division. The petitioners filed an action citing several civil rights violations. Summary Judgment was granted in this action on two of the defendants on December 22, 2004.

Questions:

1. Should the petitioners in this case expected to be free from discrimination, threats, and intimidation, and also be guaranteed equal protection in the law under the XIV Amendment of the Constitution of the United States.
2. Should the petitioner in this case have expected to have an arrest warrant issued for his arrest only after the showing of probable cause.
3. Should the petitioner in this case have expected to use process to compel witness testimony in his defense in order to remove the level of probable cause under the VI Amendment of the Constitution of the United States.
4. Does the VI Amendment of the Constitution of the United States include the defendant being informed of why the charges of a crime that the defendant was arrested for committing was dismissed prior to trial before a jury.
5. Does the defendant in a criminal action have the right for his record to be completed.
6. Should the petitioner in this case have expected that their victims rights would be upheld when the petitioner was a victim of a crime.
7. Should one of the respondents in this case have recused himself from prosecuting one of the petitioners when it was

a conflict of interest for that respondent to prosecute and or make any judgmental decisions pertaining to the petitioner.
8. Should any judge in the lower district court made the decision on the outcome of this case without the benefit of a jury trial when one of the defendants in this case is a Marshall in the same court as the presiding judge.
9. Should the lower district court have better protected the best interest of the Pro Se litigants in this case.
10. Should the lower district court as well as the court of appeals have held the Pro Se litigants to a less stringent standard.
11. In a cause of action should the lower court address all items presented in a claim and apply the law to all claims.
12. In an appeal of a decision should the Appeals Court address all issues raised on appeal and apply the law to each issue.
13. Should orders and or judgments from the courts be signed by the issuing judge and bear the court stamp.
14. If a judge is quoted as making a recommendation on a case, should the documentation pertaining to that case state that judges name as the case being referred to that judge for review.
15. Should the United States Federal Court have exercised jurisdiction over two of the defendants in this case that was not granted Summary Judgment.
16. Should the petitioners in this case expect the Judges in the Court of Appeals that arefrom the state of South Carolina to recuse themselves from this case, as the petitioners requested when this case was filed for appeal.
17. Did the United States Federal District Court err in granting Summary Judgment in this case thus dismissing this cause of action.

18. Did the United States Court of Appeals err in affirming the decision of the lower district court.
19. Should the petitioners in this case have expected the right of jury trial to be preserved for them as guaranteed in the VII Amendment of the Costitution of the United States.

List Of All parties:
Richard W. Madden, Sr., Lori M. Madden, Tiera R. Madden, Amanda K. Madden.
Petitioners

Jessica L. Stewart, Gerri Ann Davis, Honea Path Police Department, Jimmy King, Atty.
Respondents

*** The parties listed in this case are not public held companies and have no parent companies.**

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OTHER CITED AUTHORITIES:

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South Carolina Bar Association Rules of Conduct
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South Carolina Code Section 16-3-1800
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Title 28 United States Code Section 636 (b)(1)(A)
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CITATIONS OF OPINIONS AND ORDERS BY COURTS

1. Mandate from the United States Court of Appeals at Appendix A-1 dated August 3, 2005.

2. Denial of Rehearing and Rehearing En Banc from the United States Court of Appeals at Appendix A-2 dated July 26, 2005.

3. Unpublished Per Curiam Decision of the United States Court of Appeals affirming lower court at Appendix A-3 dated June 14, 2005.

4. Order from the Federal District Court granting Summary Judgment at Appendix A-7 dated December 22, 2004.

5. Report & Recommendations of the Magistrate Judge in the Federal District Court at Appendix A-15 dated October 22, 2004.

6. Report & Recommendations of the Magistrate Judge in the Federal District Court at Appendix A-25 dated August 25, 2004.

JURISDICTIONAL STATEMENT

1. The Order of the 4th Circuit Appeals Court denying Petition for Rehearing and Rehearing En Banc was filed on July 26, 2005.

2. The United States Supreme Court has Federal Jurisdiction in this matter pursuant to 28 U.S.C. Section 2101.

STATEMENTS OF MATERIAL FACTS

In January of 2000, the petitioners in this case started being harassed, stalked, and threatened relentlessly by Jessica Stewart one of the respondents in this case. Ms. Stewart is also the stepdaughter of David King who is the Chief of Police at the Honea Path Police Department, which is also a respondent in this case. On several occasions while harassing the petitioners Ms. Stewart was accompanied by Gerri Ann Davis another respondent in this case, Ms. Davis while in the presence of Ms. Stewart joined Ms. Stewart in harassing the petitioners.

Several attempts were made by the petitioners to have Ms. Stewart's harassment of them stopped by legal means, the petitioners went to the authorities at the Honea Path Police Department multiple times for help in this matter, the petitioners quest for assistance was met with resistance on the part of the Honea Path Police Department. In every instance except for one, the authorities at the Honea Path Police Department informed the petitioners that if one of their officers did not witness Ms. Stewart harass them then there was nothing that they could do about it.

On December 8, 2001, After having her life threatened by Ms. Stewart yet again, petitioner Amanda Madden went to the Honea Path Police Department and informed them that Ms. Stewart had threatened to kill her by putting a gun to her head. At this time the Honea Path Police Department

arrested Ms. Stewart for simple assault, for which Ms. Stewart plead guilty to. Ms. Stewart was released from custody the following day December 9, 2001.

On December 10, 2001, petitioners Richard Madden, Sr. and Amanda Madden were on their way to work in the town of Honea Path, South Carolina, when the petitioners stopped at a convenience store in Honea Path Ms. Stewart and Ms. Davis saw them and pulled into the parking lot where the petitioners were at and proceeded to harass the petitioners yet again. Ms. Stewart and Ms. Davis left the store lot before the petitioners. The petitioners left the store lot and proceeded to go to their respective jobs. Petitioners Richard Madden, Sr. and Lori Madden went to the Honea Path Police Department on the afternoon of December 10, 2001, to file another complaint about Ms. Stewart and Ms. Davis harassing petitioners Richard Madden, Sr and Amanda Madden.

While at the Honea Path Police Department petitioners Richard Madden, Sr. and Lori Madden were verbally abused by officer W. E. McCurry of the Honea Path Police Department and were forced to leave the premises of the Honea Path Police Department for their own protection.

On the evening of December 10, 2001, petitioner Richard Madden, Sr. was called at his place of employment by the Honea Path Police Department, at that time the petitioner was told that the officers needed more information from the petitioner pertaining to the petitioner being harassed by respondent Stewart, also the Honea Path Police Department asked the petitioner to either come to the police department now or later when the petitioner got off work. Petitioner Richard Madden, Sr. chose to go at that time to the police department ,upon arriving at the Honea Path Police